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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,663	08/19/2003	Henri Burgers	081516-0303109	3472
909	7590	03/10/2005	EXAMINER	
PILLSBURY WINTHROP, LLP			VU, PHUONG T	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2841	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/642,663	Applicant(s) BURGERS ET AL.	
	Examiner Phuong T. Vu	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 37-44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,13-20,31-36 is/are rejected.
- 7) ☒ Claim(s) 3-12 and 21-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-36 in the reply filed on February 25, 2004 is acknowledged. Claims 37-43 (Group II) and 44 (Group I) are withdrawn from consideration.

Claim Objections

2. Claim 2 is objected to. It appears that "hangar slots" are the "guide slots" and should be referred to as such for consistency and clarity.
3. Claim 33 is objected as there is no test apparatus recited in claim 14, from which claim 33 depends. It appears that the claim should depend from claim 19.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 13-16, 18-20, 31-34, 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Braginetz et al. (US 4,329,005). Regarding claim 1, the reference discloses a receiver structure 30 for receiving a test adapter 71 having external location portions 77 comprising a generally rectangular frame having left 31 and right 31' inwardly facing surfaces, left and right cam plates 44 slidably mounted adjacent to the left and right inwardly facing surfaces of the generally rectangular frame, each of the left and right cam plates including a cam slot 45, a lever assembly 53 including a user

accessible lever portion, the lever assembly being arranged in a driving relationship with the left and right cam plates, and two or more hanger structures 39, one of the hanger structures being mounted adjacent to each of the left and right cam plates for sliding movement between an outwardly projecting position and a retracted position, the hanger structures each including a guide slot 41.

Regarding claim 2, portions of the guide slot are aligned with portions of the cam slots on the adjacent left and right cam plates, such that the hanger structures may be driven between an outwardly projecting position and the retracted position by the movement of the cam plates when the guide slots and cam slots co-engage the external locating portions of the test adapter (see figures 8-9).

Regarding claim 13, the guide slot is generally downwardly sloped.

Regarding claim 14, the guide slot is generally straight.

Regarding claim 15, the guide slot includes an upwardly angled end surface.

Regarding claim 16, the hanger structures are formed of a metal.

Regarding claim 18, two hanger structures are provided.

Regarding claim 19, the reference discloses a testing apparatus comprising: a receiver 30, including a generally rectangular receiver frame having left 31 and right 31' inwardly facing surfaces, interior portions of the generally rectangular receiver frame being constructed and arranged to carry electrical contacts (provided in 35); left and right cam plates 44 slidably mounted adjacent to the left and right inwardly facing surfaces of the generally rectangular receiver frame, each of the left and right cam plates including a cam slot 45; a lever assembly 53 including a user accessible lever

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portion, the lever assembly being arranged in a driving relationship with the left and right cam plates; and two or more hanger structures 39, one of the hanger structures being mounted adjacent to each of the left and right cam plates for sliding movement between an outwardly projecting position and a retracted position, each of the hanger structures including a guide slot 41; and an interchangeable test adapter 71 constructed and arranged to be received in the receiver, including a generally rectangular interchangeable test adapter frame, interior portions of the generally rectangular interchangeable test adapter frame being constructed and arranged to carry electrical contacts; and one or more rollers 77 mounted on each of respective left and right exterior sides of the generally rectangular interchangeable test adapter frame.

Regarding claim 20, portions of the guide slots are aligned with portions of the cam slots of the adjacent left and right cam plates, such that the hanger structures may be driven between the outwardly projecting position and the retracted position by the movement of the cam plates when the hanger slots and cam slots co-engage the rollers of the interchangeable test adapter.

Regarding claim 31, the guide slot is generally downwardly sloped.

Regarding claim 32, the guide slot is generally straight.

Regarding claim 33, the guide slot includes an upwardly angled end surface.

Regarding claim 34, the hanger structures are formed of a metal.

Regarding claim 36, two hanger structures are provided.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 17, 35 are rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as being unpatentable over Braginetz et al. (US 4,329,005). Regarding claims 17 and 35, the reference does not specifically disclose what metal the hanger structures are formed from. However, it would appear that the hanger structures are formed from steel sheets. Use of such sheets is most typical in the art. Alternatively, it would have been obvious to those skilled in the art at the time the invention was made to form the hanger structures from steel sheets as such metallic sheets which provide anticorrosive and antistatic properties, strong mechanical support and are readily available, easy to work with and cost effective.

Allowable Subject Matter

8. Claims 3-12, 21-30 would be allowable if rewritten to overcome the objection set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are listed in the attached Notices of Referenced Cited.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Vu whose telephone number is (571) 272-2111. The examiner can normally be reached on Mon. & Tues., 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phuong T. Vu
Patent Examiner
Group 2841